



Rep. Frank J. Mautino

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1 AMENDMENT TO HOUSE BILL 4136

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4136 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by  
5 changing Sections 15-1, 15-25, 15-30, and 15-35 as follows:

6 (30 ILCS 500/15-1)

7 Sec. 15-1. Publisher. Each chief procurement officer, in  
8 consultation with the agencies under his or her jurisdiction,  
9 possesses the rights to and is the authority ~~The Department of~~  
10 ~~Central Management Services is the State agency~~ responsible for  
11 publishing its volume ~~volumes~~ of the Illinois Procurement  
12 Bulletin. ~~The Capital Development Board is responsible for~~  
13 ~~publishing its volumes of the Illinois Procurement Bulletin.~~  
14 ~~The Department of Transportation is responsible for publishing~~  
15 ~~its volumes of the Illinois Procurement Bulletin. The higher~~  
16 ~~education chief procurement officer is responsible for~~

1 ~~publishing the higher education volumes of the Illinois~~  
2 ~~Procurement Bulletin. The Illinois Power Agency is the State~~  
3 ~~agency responsible for publishing its volumes of the Illinois~~  
4 ~~Procurement Bulletin.~~

5 Each volume of the Illinois Procurement Bulletin shall be  
6 available electronically and may be available in print.  
7 References in this Code to the publication and distribution of  
8 the Illinois Procurement Bulletin include both its print and  
9 electronic formats.

10 (Source: P.A. 95-481, eff. 8-28-07.)

11 (30 ILCS 500/15-25)

12 Sec. 15-25. Bulletin content.

13 (a) Invitations for bids. Notice of each and every contract  
14 that is offered, including renegotiated contracts and change  
15 orders, shall be published in the Bulletin, and all businesses  
16 listed on the Department of Transportation Disadvantaged  
17 Business Enterprise Directory, the Department of Central  
18 Management Services Business Enterprise Program and Small  
19 Business Vendors Directory, and the Capital Development  
20 Board's Directory of Certified Minority and Female Business  
21 Enterprises shall be furnished written instructions and  
22 information on how to register on each Procurement Bulletin  
23 maintained by the State. Such information shall be provided to  
24 each business within 30 days after the business' notice of  
25 certification. The applicable chief procurement officer may

1 provide by rule an organized format for the publication of this  
2 information, but in any case it must include at least the date  
3 first offered, the date submission of offers is due, the  
4 location that offers are to be submitted to, the purchasing  
5 State agency, the responsible State purchasing officer, a brief  
6 purchase description, the method of source selection,  
7 information of how to obtain a comprehensive purchase  
8 description and any disclosure and contract forms, and  
9 encouragement to prospective vendors to hire qualified  
10 veterans, as defined by Section 45-67 of this Code, and  
11 qualified Illinois minorities, women, persons with  
12 disabilities, and residents discharged from any Illinois adult  
13 correctional center.

14 (b) Contracts let. Notice of each and every contract that  
15 is let, including renegotiated contracts and change orders,  
16 shall be issued electronically to those bidders or offerors  
17 submitting responses to the solicitations, inclusive of the  
18 unsuccessful bidders, immediately upon contract let. Failure  
19 of any chief procurement officer to give such notice shall  
20 result in tolling the time for filing a bid protest up to 5  
21 business days. The apparent low bidder's award and all other  
22 bids from bidders responding to solicitations shall be posted  
23 on the agency's website the next business day.

24 (b-5) Contracts awarded. Notice of each and every contract  
25 that is awarded, including renegotiated contracts and change  
26 orders, shall be issued electronically to the successful

1 responsible bidder or offeror, posted on the agency's website  
2 the next business day, and published in the next available  
3 subsequent Bulletin. The applicable chief procurement officer  
4 may provide by rule an organized format for the publication of  
5 this information, but in any case it must include at least all  
6 of the information specified in subsection (a) as well as the  
7 name of the successful responsible bidder or offeror, the  
8 contract price, the number of unsuccessful responsive bidders,  
9 and any other disclosure specified in any Section of this Code.  
10 This notice must be posted in the online electronic Bulletin  
11 prior to execution of the contract.

12 (c) Emergency purchase disclosure. Any chief procurement  
13 officer or State purchasing officer exercising emergency  
14 purchase authority under this Code shall publish a written  
15 description and reasons and the total cost, if known, or an  
16 estimate if unknown and the name of the responsible chief  
17 procurement officer and State purchasing officer, and the  
18 business or person contracted with for all emergency purchases  
19 in the next timely, practicable Bulletin. This notice must be  
20 posted in the online electronic Bulletin no later than 3  
21 business days after the contract is awarded. Notice of a  
22 hearing to extend an emergency contract must be posted in the  
23 online electronic Procurement Bulletin no later than 5 business  
24 days prior to the hearing.

25 (c-5) Business Enterprise Program report. Each purchasing  
26 agency shall, with the assistance of the applicable chief

1 procurement officer, post in the online electronic Bulletin a  
2 copy of its annual report of utilization of businesses owned by  
3 minorities, females, and persons with disabilities as  
4 submitted to the Business Enterprise Council for Minorities,  
5 Females, and Persons with Disabilities pursuant to Section 6(c)  
6 of the Business Enterprise for Minorities, Females, and Persons  
7 with Disabilities Act within 10 business days after its  
8 submission of its report to the Council.

9 (c-10) Renewals. Notice of each contract renewal shall be  
10 posted in the online electronic Bulletin within 10 business  
11 days of the determination to renew the contract and the next  
12 available subsequent Bulletin. The notice shall include at  
13 least all of the information required in subsection (b).

14 (c-15) Sole source procurements. Before entering into a  
15 sole source contract, a chief procurement officer exercising  
16 sole source procurement authority under this Code shall publish  
17 a written description of intent to enter into a sole source  
18 contract along with a description of the item to be procured  
19 and the intended sole source contractor. This notice must be  
20 posted in the online electronic Procurement Bulletin before a  
21 sole source contract is awarded and at least 14 days before the  
22 hearing required by Section 20-25.

23 (d) Other required disclosure. The applicable chief  
24 procurement officer shall provide by rule for the organized  
25 publication of all other disclosure required in other Sections  
26 of this Code in a timely manner.

1 (e) The changes to subsections (b), (c), (c-5), (c-10), and  
2 (c-15) of this Section made by this amendatory Act of the 96th  
3 General Assembly apply to reports submitted, offers made, and  
4 notices on contracts executed on or after its effective date.

5 (f) ~~Each The Department of Central Management Services, the~~  
6 ~~Capital Development Board, the Department of Transportation,~~  
7 ~~and the higher education~~ chief procurement officer shall, in  
8 consultation with the agencies under his or her jurisdiction,  
9 provide the Procurement Policy Board with the information and  
10 resources necessary, and in a manner, to effectuate the purpose  
11 of this amendatory Act of the 96th General Assembly.

12 (Source: P.A. 95-536, eff. 1-1-08; 96-795, eff. 7-1-10 (see  
13 Section 5 of P.A. 96-793 for the effective date of changes made  
14 by P.A. 96-795); 96-1444, eff. 8-20-10.)

15 (30 ILCS 500/15-30)

16 Sec. 15-30. Electronic Bulletin clearinghouse.

17 (a) The Procurement Policy Board shall maintain on its  
18 official website a searchable database containing all  
19 information required to be included in the Illinois Procurement  
20 Bulletin under subsections (b), (c), (c-10), and (c-15) of  
21 Section 15-25 and all information required to be disclosed  
22 under Section 50-41. The posting of procurement information on  
23 the website is subject to the same posting requirements as the  
24 online electronic Bulletin.

25 (b) For the purposes of this Section, searchable means

1 searchable and sortable by successful responsible bidder or  
2 offeror or, for emergency purchases, business or person  
3 contracted with; the contract price or total cost; the service  
4 or good; the purchasing State agency; and the date first  
5 offered or announced.

6 (c) The applicable chief procurement officer shall provide  
7 the Procurement Policy Board the information and resources  
8 necessary, and in a manner, to effectuate the purpose of this  
9 Section.

10 (Source: P.A. 95-536, eff. 1-1-08; 96-795, eff. 7-1-10 (see  
11 Section 5 of P.A. 96-793 for the effective date of changes made  
12 by P.A. 96-795).)

13 (30 ILCS 500/15-35 new)

14 Sec. 15-35. Vendor portal. Each chief procurement officer  
15 may, in consultation with the agencies under his or her  
16 jurisdiction and the Procurement Policy Board, establish a  
17 vendor portal. The vendor portal shall allow a prospective  
18 vendor to provide certifications, disclosures, registrations,  
19 and other documentation needed to do business with a State  
20 agency in advance of any particular procurement. A prospective  
21 vendor who registers with the vendor portal and provides this  
22 information may submit its registration number, with a  
23 confirmation that the portal information remains current, as  
24 part of its response to a competitive selection or a  
25 contracting process, rather than submit the same information in

1 full. One or more chief procurement officers may jointly  
2 operate a vendor portal if a single portal would better serve  
3 the needs of the State agencies and the vendor community. A  
4 chief procurement officer may accept, for use on procurements  
5 and contracts under his or her jurisdiction, the registration  
6 from another chief procurement officer's vendor portal. This  
7 Section applies notwithstanding any laws to the contrary except  
8 for later enacted laws that specifically refer to this Section.

9 Nothing in this Section shall preclude a State agency from  
10 implementing its own pre-qualification, certification,  
11 disclosure, and registration requirements necessary to conduct  
12 and manage its program operation.

13 This Section does not apply to any contract for any project  
14 as to which federal funds are available for expenditure when  
15 its provisions may be in conflict with federal law or federal  
16 regulation.

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.".